UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/C.6/49/L.19
17 November 1994

ORIGINAL: ENGLISH

Forty-ninth session
SIXTH COMMITTEE
Agenda item 134

STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED CONFLICTS

Algeria, Australia, Austria, Bangladesh, Belarus, Canada, Chile, Denmark, Egypt, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Netherlands, New Zealand, Norway, Republic of Moldova, Romania, Russian Federation, Sweden and Ukraine: draft resolution

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986, 43/161 of 9 December 1988, 45/38 of 28 November 1990 and 47/30 of 25 November 1992,

Having considered the report of the Secretary-General 1/ on the status of the Protocols 2/ Additional to the Geneva Conventions of 1949 3/ and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

---

1/ A/49/255 and Add.1 and Corr.1.

2/ United Nations Treaty Series, vol. 1125, Nos. 17512 and 17513.

3/ Ibid., vol. 75, Nos. 970-973.

Noting with satisfaction that, pursuant to article 90 of Additional Protocol I, the International Fact-Finding Commission has become operational,

Noting the fact that Annex I of Additional Protocol I has been revised,

Stressing the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and to disseminate knowledge of the two additional Protocols,

1. Appreciates the virtually universal acceptance of the Geneva Conventions of 1949 and the increasingly wide acceptance of the two additional Protocols of 1977;

2. Notes, however, the fact that, in comparison with the Geneva Conventions, the number of States parties to the two additional Protocols is still limited;

3. Appeals to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties to the additional Protocols at the earliest possible date;

4. Calls upon all States that are already parties to Protocol I, or those States not parties, on becoming parties to Protocol I, to make the declaration provided for under article 90 of that Protocol;

5. Takes note of the Declaration adopted on 1 September 1993 at the International Conference for the Protection of War Victims, reaffirming the necessity of preventive measures and of making the implementation of international humanitarian law more effective;

6. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a report on the status of the additional Protocols based on information received from Member States;

7. Decides to include in the provisional agenda of its fifty-first session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/C.6/49/L.20
17 November 1994

ORIGINAL: ENGLISH

Forty-ninth session
SIXTH COMMITTEE
Agenda item 143

CONVENTION ON JURISDICTIONAL IMMUNITIES OF STATES AND THEIR PROPERTY

Australia, Canada, Germany, Netherlands, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Convention on jurisdictional immunities of States and their property

The General Assembly,

Having received from the International Law Commission a set of draft articles on jurisdictional immunities of States and their property adopted by the Commission at its forty-third session, 1/

Recalling that the International Law Commission recommended that an international conference of plenipotentiaries be convened to examine the draft articles and to conclude a convention on the subject, 2/

Having considered the draft articles at its forty-sixth to forty-ninth sessions, including in a Working Group and in consultations aimed at considering the issues of substance arising out of the draft articles, with the purpose of identifying and attenuating the differences of view concerning such issues in order to facilitate the conclusion of a convention through general agreement,

---

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 10 (A/46/10), chap. II, sect. D.

2/ Ibid., para. 25.

Having also considered the reports of the Working Group established at its forty-seventh 3/ and forty-eighth 4/ sessions 2/ and of the consultations held at its forty-ninth session, 5/

Noting that there remain issues of substance arising out of the draft articles on which a sufficient measure of agreement has not yet been achieved,

1. Considers that the successful conclusion of a convention through general agreement would be a valuable contribution to the codification and progressive development of international law;

2. Invites States to submit to the Secretary-General their comments on the conclusions of the Chairman of the informal consultations held pursuant to General Assembly decision 48/413 of 9 December 1993, as well as the reports of the Working Group established under Assembly resolution 46/55 of 9 December 1991 and decision 47/414 of 25 November 1992; 3/, 4/

3. Decides to resume consideration at its fifty-third session of the issues of substance, in the light of the reports mentioned above and the comments submitted by States thereon, and to give full consideration to the recommendation of the International Law Commission to convene an international conference of plenipotentiaries to consider the draft articles and to conclude a convention on this subject;

4. Also decides to include in the provisional agenda of its fifty-third session the item entitled "Convention on jurisdictional immunities of States and their property".

3/ A/C.6/47/L.10.

4/ A/C.6/48/L.4 and Corr.2.

5/ A/C.6/49/L.2.